

Committee Reports.

Senate Chamber,

Austin, Texas, May 1, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 36 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,

Austin, Texas, May 1, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 11, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes on land, providing compensation for the county attorney and other officials for service rendered in collecting such taxes; further providing for the employment of a special attorney to assist in collecting such taxes; amending Section 1, of Chapter 147, of the Acts of the Regular Session of the Thirty-fourth Legislature as amended by Section 1, of Chapter 64, of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2, of Chapter 147, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature amending Article 7688, 7689, 7691, 7692, 7696, 7699, repealing Article 7687 of the Revised Civil Statutes of the State of Texas of 1911, and Section 3, Chapter 147, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature, as amended by Section 2, Chapter 64, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, adding to Chapter 13 of Title 126, of the Revised Statutes of Texas of 1911, a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes, repealing all laws in conflict with the provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the following amendment:

Amend H. B. No. 11, Section 2,

by adding after line 40, page 3, the following:

"For checking up and taking off delinquencies, separating and assorting various tracts of each assessment, pro rating the taxes thereon, arranging the items by abstract numbers or lot and block numbers, and compiling the delinquent tax records herein required to be compiled whenever there shall be as many as two years of delinquencies which has not been compiled, the tax collector shall be paid out of the general fund of the county, five cents for each written line of the original of such delinquent record, not to exceed 25c for any one block or abstract assessed, returned delinquent and owned by one tax payer. Such fee to be taxed as costs and be paid back into the general fund of the county when collected.

"For issuing notices to tax payers, furnishing copies to the county, district or delinquent tax attorneys, issuing statements in regard to particular tracts of land required by this Act preparing and issuing cancellations, calculating and preparing redemption certificates and receipts, reporting and crediting redemptions, posting Comptroller's redemption numbers on the delinquent record, mailing certificates of redemption to tax payers after approval by the Comptroller, the tax collector shall receive five per cent of all delinquent taxes collected by him which together with the compensation for compiling the delinquent record shall be accounted for as other fees of office."

RIDGEWAY, Vice-Chairman.

TWELFTH DAY.

(Continued)

Wednesday, May 2, 1923.

The Senate met at 9:30 a. m., and was called to order by Lieutenant Governor T. W. Davidson.

H. B. No. 4—Made Special Order.

On motion of Senator Woods, H. B. No. 4, relating to quo warranto proceedings for removal of officers, was made a special order for Thursday morning, following call for "Bills and Resolutions."

H. C. R. No. 6.

The Chair laid before the Senate H. C. R. No. 6, inviting Mrs. Fisher to address the Legislature.

The resolution was read and adopted.

Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Parr:

S. B. No. 49, A bill to be entitled "An Act to amend Article 7407 of Chapter 4, Title 126, of the Revised Civil Statutes of Texas of 1911, relating to the creation of a State Tax Board; fixing the annual salary of the State Tax Commissioner; providing that the provisions hereof with respect to such salary shall be superior to those of any other Statute of this State conflicting therewith, and declaring an emergency."

To the Committee on State Affairs.

By Senator Baugh:

S. B. No. 50, A bill to be entitled "An Act to create the State Board of Agriculture; providing for the appointment of the members of said board; providing for the appointment by said board of a commission; defining the powers and duties of said board and commission; providing the term of office of the members of the said board and for the members of the commission; providing for mileage and per diem of the board, and making an appropriation therefor; providing for salaries of the commission; providing for the appointment of a Chief Clerk and fixing his salary; providing for qualifications of the members of the board and the commission; providing for meetings of board; providing for bond and oath of office for the members of the commission; providing for the transfer of the duties of the Commissioner of Agriculture, Live Stock Sanitary Commission and Commissioners of Markets and Warehouses to the Board of Agriculture and Commission of Texas; transferring the edible nuts division of the Agricultural Department to the A. & M. College; transferring the Feed Control, the Foul Brood Control and the Commercial Fertilizer Control to the Agricultural Commission of Texas; requiring an-

nual reports; repealing Articles 4435, 4436, Chapter 6, Title 65, Revised Civil Statutes, 1911; repealing Article 7312, Chapter 8, Title 124, Revised Civil Statutes, 1911; repealing Section 2, Chapter 41, First Called Session, Thirty-fifth Texas Legislature; abolishing the Department of Agriculture and the office of the Commissioner thereof, the Live Stock Sanitary Commission of Texas and the office of Commissioners thereof and the Department of Markets and Warehouses and the office of Commissioner thereof; providing for office space and equipment, and transferring appropriations; and declaring an emergency."

To the Committee on Agricultural Affairs.

By Senator Clark:

S. B. No. 51, A bill to be entitled "An Act providing that all fees remitted by county superintendents to the State Department of Education for teachers' examinations authorized in Section 7, Chapter 129 of the General Laws of the Regular Session of the Thirty-seventh Legislature, also all fees remitted to the State Department of Education by conductors of summer normal institutions, and also any other fees collected by the State Department of Education for any purpose whatsoever, shall be paid to the State Treasurer, and providing that such fees shall be appropriated and expended by the Legislature from time to time, and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Bledsoe:

S. B. No. 52, A bill to be entitled "An Act amending Acts of the Thirty-seventh Legislature, First Called Session, Chapter 13, and providing for the reorganization of the Seventy-second Judicial District of Texas, fixing the times and terms of the District Courts in the several counties thereof, and naming them; providing that process bonds and recognizances made and grand and petit juries drawn, before this Act takes effect, shall be valid for and returnable to the terms as herein set forth; attaching the unorganized county of Cochran to Hockley county for judicial and all other purposes; fixing the time of taking effect of this Act, repealing all laws and parts of laws

in conflict herewith, and declaring an emergency."

To the Committee on Judicial Districts.

By Senator Floyd:

S. B. No. 53, A bill to be entitled "An Act concerning the signing and execution of bonds and coupons of any county, city, political subdivision, defined district or school district of the State of Texas, validating all such bonds and coupons signed by the duly authorized officers who were such officers at the time of signing same, notwithstanding any changes in office subsequent to their execution and before their delivery; and declaring an emergency."

To the Committee on State Affairs.

By Senator Holbrook:

S. B. No. 54, A bill to be entitled "An Act releasing the inhabitants of and property in Wharton county, comprising one district, and that portion of Matagorda county embraced in Commissioners Precincts Nos. one, two and four as described in the minutes of the commissioners' court of said county, comprising another district, for a period of twenty-five years, from the payment of taxes levied for State purposes, because of great public calamities in said counties, as provided in Section 10 of Article VIII of the State Constitution, upon condition that each district above defined, respectively, shall be organized into a conservation and reclamation district and shall vote bonds of such district to prevent the recurrence of such calamities, and in cases of failure of either of said districts to organize and to vote such bonds by or before October 1, 1924, said Act shall become null and void, and said taxes shall be collected in the usual manner and paid into the public treasury, and declaring an emergency."

To the Committee on Mining, Irrigation and Drainage:

By Senator Holbrook:

S. B. No. 55, A bill to be entitled "An Act to amend Sec. 5, Chap. 87 of the Acts of the 35th Legislature of the State of Texas by providing for ordering of elections by the commissioners' court for the organization of water improvement districts. Providing the questions to be submitted at such election. And to amend Sec. 7, Chap. 87, of the Acts of the Regu-

lar Session of the 35th Legislature of the State of Texas, as amended by Chap. 28, Second Called Session of the 36th Legislature of the State of Texas, providing for the manner of conducting elections, provided for in said Chap. 87. Providing the qualifications for voters at such elections. Prescribing the duties of the commissioners' court in canvassing the returns of such vote. The creation of water improvement districts. Providing for the division of the proposed district into one or more election precincts. And providing polling places in such voting precincts. The appointment of judges and clerks to hold such election. Providing a method of filling places on said election board. Providing for printing of ballots and the matter to be contained thereon. And amending Sec. 9 of Chap. 87 of the Acts of the Regular Session of the 35th Legislature of the State of Texas as amended by Chap. 28, Second Called Session of the 36th Legislature of the State of Texas, by providing for returns to be made by the officers of such election. The canvass and return showing the results of such election. The establishment of districts and making records thereof. The issuance of notes of said district for the purpose of defraying expenses of the organization, investigation, engineering, issuance of bonds, making and filing of maps and reports, all legal expenses connected therewith and all other costs and expenses authorized and made necessary by the provisions of this law. To sell said notes and for the levy and collection of taxes to provide for their payment. And to canvass votes for the directors. And declaring of result. And to amend Sec. 57, Chap. 87 of the Acts of the Regular Session of the 35th Legislature of the State of Texas, as amended by Chap. 28 of the Acts of the 36th Legislature, Second Called Session, providing for the issuance of bonds. And execution of contracts with United States government. Providing for the issuance of bonds sufficient to pay the first three years interest accruing on the bond issue authorized. And exempting the property situated in the district from taxes for that period except in an amount sufficient to pay the notes provided for in Sec. 3 of this amendment. Providing for the limitation of the amount of bonds to be issued

by the district organized under Art. 52, Sec. 3 of the Constitution. And exempting districts organized under Sec. 59, Art. 16 of the Constitution from such limitation. Providing for the issuance of bonds for supplemental contracts with the United States. And the purchase of additional improvements where the same is found necessary by the directors. And the issuance of notices for elections to be held to authorize issuance of such additional bonds, or the making of supplemental contracts. Providing for the issuance of bonds or notes to run not to exceed 20 years for the purpose of repairing damages to the improvements in the district where such damages have occurred. And providing for elections and notices of election where such supplemental bonds issues are made. Limiting amount of notes to be issued. And providing for the payment of interest thereon to create a sinking fund with which to pay said notes at maturity. And declaring an emergency."

To the Committee on Mining, Irrigation and Drainage.

By Senator Murphy:

S. B. No. 56, A bill to be entitled "An Act to amend an Act entitled 'An Act creating and incorporating the Humble Independent School District in Harris county, out of the territory now composing Common School District No. 50, of said county, providing that the title of the school property vested in Common School District No. 50 shall vest in said Humble Independent School District and that said Independent School District assume the debts of said Common School District No. 50; providing for a board of trustees of said Humble Independent School District; providing the time and manner of their election; defining their powers and duties, and declaring an emergency,' approved February 18, 1919, said Act as amended creating the Humble Independent School District and defining its boundaries; providing for the annexing of additional territory and the manner of annexing same; providing for the creation of a board of trustees of said Independent School District, and defining their qualifications, powers and duties; providing that the members of the board of trustees of the Humble Independent School District as

at present constituted shall continue in office, and defining their powers and duties; vesting in the board of trustees corporate powers and giving said Independent School District, through its trustees, the power to make contracts, to be a party to actions in court; authorizing the trustees of said Independent School District to receive gifts, grants, conveyances, donations, legacies, and devises for the use of the public free schools in said Independent School District; authorizing the trustees of said Independent School District to borrow money for school purposes and secure the same, and limiting the amount that may be borrowed; providing for filling vacancies on said board of trustees, for the administration of oaths or affirmations by the president and secretary; providing for a seal and its use; conferring upon said board of trustees plenary powers; providing for the election of trustees, the manner and time of holding said election, and prescribing the tenure of office of said trustees; providing for a board of equalization and prescribing the duties and powers of said board of equalization; providing for the removal of members of the board of trustees for misconduct; providing for the keeping of a record of the proceeds of said board of trustees for public inspection; providing for an audit of the books of accounts of said board of trustees and its publication; authorizing said board of trustees to levy and collect taxes, and regulating the same; providing for tax elections, the time and notice of same; providing when taxes levied and assessed under this Act shall be due and payable; providing when the available school fund heretofore or hereafter apportioned to the schools within said district shall be paid; vesting title to property within said district, including any and all funds on hand belonging to the public schools within said district in the board of trustees; providing that the Attorney General of the State shall certify to the validity of bonds authorized by this Act; providing for the assumption of debts of Common School District No. 50, and of the Humble Independent School District created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature; validating the official acts and proceedings of the board of trustees of the Hum-

ble Independent School District created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature; providing that this Act shall be a public act of which the courts shall take judicial notice; vesting in said board of trustees all powers, and charging it with all the duties imposed by the General Laws now in force or hereafter enacted governing Independent School Districts; providing that the Independent School District created by this Act shall succeed to the Independent School District created by Chapter 13 of the Special Laws of the Thirty-sixth Legislature, and to all legal and valid obligations of said district or board thereof, and providing for the payment of said obligations; repealing all laws in conflict herewith, and providing that the invalidity of any portion hereof shall not impair the remainder of the Act, and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Murphy:

S. B. No. 57, A bill to be entitled "An Act to extend for a period of five years from the passage of this Act Oil and Gas Permit No. 2609, issued June 11th, 1918, in San Jacinto Bay, Harris County, Texas, said extension to be upon the same terms and conditions on which the original permit was issued, except that the owners who may desire to take advantage of this Act shall pay into the General Land Office within thirty days after the taking effect of this Act twenty-five cents per acre within the permit, and fifty cents per acre within one year thereafter, and annually thereafter the sum of one dollar per acre so long as they may desire to hold same, or until oil or gas shall have been developed in paying quantities and a lease obtained therefor; providing for forfeiture; and declaring an emergency."

To the Committee on Mining, Irrigation and Drainage.

By Senators McMillin, Watts, and Rice:

S. B. No. 58, A bill to be entitled "An Act providing for the licensing of chiropractors, for registering license granted to chiropractors and certain sworn statements required to be made by chiropractors, and providing for the duty of the county

clerk in reference thereto; providing for the introduction of certain records and certain copies thereof in evidence and effect of such evidence; defining the practice of chiropractic; providing for penalties for the violation of this Act; providing for and creating a State Board of Chiropractor Examiners, its appointment and defining the powers and duties of such board; providing for the qualification of its members, their term of office, the election of its officers, its meetings and the keeping of certain records pertaining to its proceedings; providing for fees to be paid by applicants for license and by licensed chiropractors; the disposition to be made of such fees, the suspending of licensee's licenses upon failure to pay certain fees; providing for the subjects in which applicants for licenses shall be examined, those entitled to examination and the manner of conducting such examination; providing for the right to practice chiropractic in the State of Texas, and the making of death and other certificates; providing for the refusing of the right to practice chiropractic to certain classes of persons; providing for the revocation of license to practice chiropractic of certain classes of persons; defining the word "board" as used in this Act; providing for the preservation of several sections of this law; defining who is a practitioner or chiropractor and what is the chiropractic science; providing for penalties for the violation of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

To the Committee on State Affairs.

By Senator Darwin:

S. B. No. 59, A bill to be entitled "An Act creating an Illiteracy Commission for Texas, defining the powers and duties of said commission, and making an appropriation for the work to be carried on under the direction of said commission, and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Clark:

S. B. No. 60, A bill to be entitled "An Act amending the Act passed by the Thirty-eighth Legislature at its Regular Session, approved January 31, 1923, the same being H. B. No. 17 entitled 'An Act requiring the Board of Water Engineers and the

State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make, and cause to be made, and report to the Governor, an adequate topographic and hydrographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this Act, and declaring an emergency, amending said Act so as to reduce the appropriation made therein in fifty thousand dollars and providing that the work required by said amended Act be done by the State Reclamation Engineer entirely and the money appropriated to be available for said purpose through said Reclamation Engineer; and declaring an emergency."

To the Committee on Mining, Irrigation and Drainage.

By Senators Clark, Fairchild, Rogers and Cousins:

S. B. No. 61, A bill to be entitled "An Act amending Articles 4521 and 4522 of the Revised Civil Statutes relating to the State Board of Health and the State Health Department; providing for the State Board of Health to be composed of seven licensed physicians, which Board shall have power to appoint the State Health Officer; prescribing the salary of the State Health Officer and the respective authority of the State Health Officer and the State Board of Health; prescribing the compensation of the members of the State Board of Health, the State Health Officer and the heads of bureaus in the State Health Department; enacting provisions to improve the State Health Department; and declaring an emergency."

To the Committee on Public Health.

By Senators Witt and Davis:

S. B. No. 62, A bill to be entitled "An Act authorizing cities having more than five thousand inhabitants to specially illuminate districts thereof, and to construct, install, equip and maintain a system of artificial lights as a local public improvement; providing for abutting property own-

ers desiring such public improvement to petition for same or that same may be done by the governing authorities of the city without such petition; providing for the cost of such local public improvement to be paid by the abutting property owners by assessment in an amount not to exceed the benefits received by the property; providing for a lien against the property and a personal claim against the owner and the issuance of assignable certificates, payable in installments with interest, against the property owner for the amount of the assessment; providing for the letting of the contract for such public improvement by the city and providing for a hearing for the property owners to be heard and make objections; providing for the enforcement of the assessment by suit against the property owners; providing for suit by the property owner to attack the validity of the proceedings hereunder; providing for the system after being completed becoming the property of the city to be maintained and kept up at its expense; and providing for an emergency."

To the Committee on Towns and City Corporations.

Simple Resolution No. 22.

By Senators Darwin, Parr and Ridgeway:

Whereas, The daily press has recently carried dispatches announcing the selection of representatives of the United States Government and of the Republic of Mexico to meet in conference for the discussion of matters that apparently stand between recognition of Mexico by the United States of America; and

Whereas, Such recognition would be of inestimable advantage to both countries concerned, materially increasing trade balances between the two countries and permitting the people of the Republic of Mexico an opportunity to enjoy the benefits of peace, prosperity, and happiness, and to develop their material resources as well as to overcome the handicaps of disorganized and delayed educational facilities and progress, and enable the people of the United States of America to enjoy the advantages of complete freedom and wholehearted diplo-

matic relations with their neighbors and friends of Mexico.

Whereas, This Senate has already gone on record as advocating the recognition of the sister Republic to the South; therefore, be it

Resolved, that the Senate of the Second Called Session of the Thirty-eighth Legislature of the State of Texas does hereby express its sincere hope that the sessions of the representatives discussing recognition terms will bear successful fruit, and that its deliberations will result in the United States of America extending recognition to the Republic of Mexico and the opening of an era of unprecedented prosperity for the peoples of the respective nations, of the United States of America and the United States of Mexico; and

Be it further resolved, That a copy of this resolution be communicated to the Secretary of State, at Washington, and to President Alvaro Obregon, at Mexico City.

The resolution was read and adopted.

Simple Resolution No. 23.

By Senators Doyle and Murphy:

Whereas, The Honorable DeLeon Harp, a former distinguished member of this body, is now in the city,

Resolved, That he be requested to address the Senate and be extended the courtesies of the floor.

The resolution was read and adopted.

The Chair appointed Senators Doyle, Murphy and Rogers as a committee to escort Mr. Harp to the President's stand.

Being presented by the Chair, Mr. Harp addressed the Senate.

S. B. No. 32 on Engrossment.

(Special Order.)

The Senate resumed consideration of S. B. No. 32, making appropriations for support of State departments, on its passage to engrossment.

The State Department of Education was under consideration, and was passed.

The Department of Insurance and Banking was read.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 19, line 22, by striking out the figures "1500.00" and inserting in lieu thereof, the figures "1800.00."

The amendment was adopted.

Senator Rogers offered the following amendment to this department:

Amend S. B. No. 32, page 19, line 31, by striking out "\$3300.00" in each column and inserting "\$4500.00" in each column.

The amendment was adopted.

The Department of Insurance and Banking was then passed.

By unanimous consent, Senator Rice offered the following amendment to the Treasury Department:

Amend S. B. No. 32 by inserting between lines 19 and 20, page 13, the following: "To pay for making bonds of employees of the Treasury Department, \$452.50 for each year."

The amendment was adopted.

Comptroller's Department was read.

Senator Wood offered the following amendment to this department.

Amend S. B. No. 32, page 22, by striking out all of line 24.

The amendment was adopted.

Senator Strong offered the following amendment to this department:

Amend S. B. No. 32, page 23, by striking out the figures "3,000.00" in each column, line 10, and add in lieu thereof, the figures "2,750.00" in each column.

Senator Wood moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—13.

Baugh.	Rice.
Bledsoe.	Ridgeway.
Darwin.	Rogers.
Davis.	Turner.
Holbrook.	Wood.
McMillin.	Woods.
Parr.	

Nays—11.

Bailey.	Lewis.
Burkett.	Pollard.
Clark.	Strong.
Doyle.	Thomas.
Fairchild.	Watts.
Floyd.	

Absent.

Bowers.	Murphy.
Cousins.	Wirtz.

Absent—Excused.

Stuart. Witt.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 23, by striking out the word "State" after the word "Financial" in line 8, and inserting in lieu thereof the word "Statement."

The amendment was adopted.

The Comptroller's Department was then passed.

The Department of the State Board of Public Health was read.

(Senator Lewis in the chair.)

Senator Woods offered the following amendment to this department:

Amend S. B. No. 32 by striking out lines 2 to 27 inclusive, page 26 of the bill and insert in lieu thereof the following words and figures:

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	For the years ending Aug. 31, 1924. Aug. 31, 1925.	
Supervisory Nurse	\$ 2,100.00	\$ 2,100.00
Traveling expenses, Director	900.00	900.00
Traveling expenses, Supervisor Nurse	1,500.00	1,500.00
Two itinerant nurses	3,600.00	3,600.00
Traveling expenses	2,000.00	2,000.00
Chief stenographer	1,500.00	1,500.00
Filing clerk	1,500.00	1,500.00
Two stenographers	2,400.00	2,400.00
Maternity Home Supervisor	1,800.00	1,800.00
Traveling expenses	1,200.00	1,200.00
Ten nurses	15,000.00	15,000.00
Printing and publishing	500.00	500.00
Postage	500.00	500.00
Stationery and office	600.00	600.00
Telephone and telegraph	200.00	200.00
Silver Nitrate	500.00	500.00
Contingent	650.52	650.52
Total	\$ 36,450.52	\$ 36,450.52

The amendment was adopted.

Senator Davis offered the following amendment to this department:

Amend S. B. No. 32 as amended by striking out the following: Beginning with and including line 21, page 25, and balance of page 25, all of page 26, and to and including line 6, page 27.

Senator Woods moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—14.

Baugh.	Pollard.
Bledsoe.	Ridgeway.
Burkett.	Rogers.
Darwin.	Turner.
Floyd.	Wirtz.
Lewis.	Wood.
Murphy.	Woods.

Nays—12.

Bailey.	McMillin.
Clark.	Parr.
Cousins.	Rice.
Davis.	Strong.
Doyle.	Thomas.
Fairchild.	Watts.

Absent.

Bowers.	Holbrook.
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Absent—Excused.

Stuart. Witt.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 27, by striking out lines 12 to 20, inclusive, and insert in lieu thereof the following:

For the years ending
Aug. 31, 1924. Aug. 31, 1925.

For maintenance of five established county health departments in co-operation with the counties, for 1924, \$2,000.00 each, and for 1925, \$1,000.00 each..	\$ 10,000.00	\$ 5000.00
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	For the years ending	
	August 31 1924	August 31 1925
For maintenance of five new county health departments, \$2,000.00 each for 1924, and \$2,000.00 each for 1925	\$ 10,000.00	\$ 10,000.00
Total	\$ 20,000.00	\$ 15,000.00

Senator Fairchild moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—13.

Bailey.	Holbrook.
Baugh.	Lewis.
Cousins.	Rice.
Darwin.	Strong.
Davis.	Thomas.
Doyle.	Woods.
Fairchild.	

Nays—9.

Riedsoe.	Ridgeway.
Clark.	Rogers.
Floyd.	Turner.
McMillin.	Wood.
Pollard.	

Absent.

Bowers.	Watts.
Murphy.	Wirtz.

Absent—Excused.

Stuart.	Witt.
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(Pair Recorded.)

Senator Parr (present), who would vote yea; with Senator Burkett (absent), who would vote nay.

Senator Clark offered the following amendment to this department:

Amend S. B. No. 32, page 25, line 11, by striking out figures "1,500.00" in each line, and inserting in lieu thereof the figures "1,800.00" in each line, and adding the following words: "Assistant Registrar, who has had experience in statistics equal to a county or district clerk."

The amendment was adopted.

Senator Ridgeway offered the following amendment to this department:

Amend S. B. No. 32, page 28, by inserting between lines 18 and 19 the following:

"18a. For the purpose of aiding in various counties in this State to erect, equip and maintain suitable

buildings and providing proper medical treatment and nursing for indigent tubercular patients who are citizens of the county where treated and cared for, and provided that no more than \$1,800.00 shall be apportioned to any one county for any one year, and provided further that no money shall be apportioned to any county unless such county shall appropriate a like sum for such purpose; said apportionment shall be made by the President of the State Board of Health and the Board of Health of this State, the sum of \$67,000.00 for each year, 1924—1925."

Senator Woods raised the point of order on consideration of the amendment on the ground that a similar amendment to another bill had already been defeated by the Senate.

The Chair (Senator Lewis, presiding) overruled the point of order.

(Senator Bailey in the Chair.)

Senator Woods then raised the point of order that the appropriation sought to be made in the amendment was not authorized by the Statutes.

The Chair (Senator Bailey, presiding) overruled the point of order.

Question: Shall the amendment by Senator Ridgeway be adopted?

Message from the Governor.

The following message from the Governor was read:

Governor's Office,

Austin, Texas, May 2, 1923.

To the Members of the Thirty-eighth Legislature, Second Called Session.

Gentlemen: I hereby submit to you, for your legislative consideration and action, the following subjects:

1. An Act abolishing what is known as special funds in the State Treasury set aside therein for special and particular purposes, and

placing all moneys that are in the State Treasury, and all public funds received by and through the various officers and departments of the State Government, in the general revenue fund so that all money shall not only go into the public Treasury, but shall be paid out of the public Treasury on general warrants, in order that the general revenue will get the benefit of all public funds.

2. A law providing for the quarantine of any area of land within the State found to be infested with any dangerous insect pest, plant disease, or other destructive evils, and providing for such remedial measures within such quarantine area as are necessary for the eradication of such pests.

3. According to the United States census of 1920, there are at this time in Texas, approximately 300,000 persons over ten years of age, who can neither read nor write. This great percentage of illiteracy among our people, is a menace to our prosperity and should not exist. Looking to the elimination of illiteracy, I hereby recommend the passage of a law creating an Illiteracy Commission, defining its powers and duties to the end that the large per cent of our illiterates be decreased as rapidly as possible. Many states have already adopted a policy of this kind.

4. The Federal Congress recently passed what is known as the Lenroot-Anderson Rural Credit Act, providing that property owners in the several states under certain conditions could secure money at a low rate of interest. In order, therefore, that the farmers and stockmen of Texas may receive the benefits of this Act, secure loans at a low rate of interest, I hereby submit to you for your deliberations, this subject matter, together with the entire law pertaining to Federal Farm Loans.

5. A law authorizing cities having more than 5,000 inhabitants on application of property owners, to establish illuminating districts in said cities and to construct and maintain a system of artificial lights to be paid for in keeping with an agreement entered into by and between the abutting property owners of said district, and the governing authorities in said cities.

6. A law authorizing the sale and delivery of bonds by county judges, mayors, trustees of independent

school districts, and their successors in office.

7. A law to regulate, supervise, and prevent fraud in the sale and purchase in the State of Texas of stocks, stock certificates and bonds of joint stock companies, brokers, partnerships, and other organizations, defining what shall constitute violations of the law in regard to the issuance and sale of said stock certificates, and providing a punishment therefor.

8. The work and compensation of county commissioners, and the work and compensation to be paid tax assessors for the assessment of property for taxation, are hereby submitted.

9. For many years there has been a tendency to put too many people on the State payroll. This custom has caused the useless expenditure of money, lessened efficiency, and resulted in an overlapping of governmental work. We have at this time in Texas, too many traveling representatives. Too much of the government is on wheels. The State has grown in its governmental affairs top-heavy. The overhead expenses of doing the business of the State government is too heavy for the underpinning of our governmental structure. We have too much machinery. We need elimination, co-operation, and co-ordination. Every office, every board and bureau, and every department not absolutely necessary for the efficient and economic administration of the government should be abolished. The Department of Agriculture, the Markets and Warehouse Department, the Live-stock Sanitary Commission, the Agricultural and Mechanical College, the College of Industrial Arts, are duplicating work along certain lines. The Department of Labor, and the Mining Board travel over the same territory, doing practically, in a number of instances, the same character of work. We have too many departments dealing with various phases of insurance; as a matter of fact, all insurance matters should be under one directing head, responsible for the efficient and economic administration of all branches of insurance supervised by the State. I submit to you for consideration, the abolishment, the consolidation, and the co-ordination, of those institutions of the State and those departments of the State govern-

ment which duplicate and overlap in their work.

10. It is said that 75,000 citizens of Texas a year die from preventable diseases. The health of our people is of prime importance and nothing should be left undone in the State looking to the protection of the people from disease and from the inefficiency and incompetency of those who assume the responsibility of treating preventable diseases. All such owe a duty, not only to the individual treated, but to the public generally. In the crusade in behalf of a healthy and able-bodied people, the Health Department should lead the way in sanitation and in the elimination of preventable diseases. The State Health Officer should be paid a salary commensurate with the responsibilities of his far-reaching duties. The present bureaus and boards now constituting a part of the Health Department should all be abolished and the State Health Officer should constitute the one directing head of that department responsible for all things pertaining to the work of that department. The present law in regard to commissioners' courts employing county health officers and nurses should be amended so that these respective officers could be employed by the commissioners' court for full time, under the general direction of the State Health Officer, with compensations in keeping with duties performed. The present Medical Practice Act should be amended authorizing the Board of Medical Examiners, or some other established and recognized board, to cancel the license of doctors who constantly and persistently fail to furnish to the State Health Department, birth and death certificates, and who fail and refuse to report contagious diseases treated by them.

In connection with the foregoing thoughts, there is hereby submitted to you for your legislative consideration, the entire renovation of the present Health Department, the passage of such laws as will stay the destructive march of preventable diseases, the passage of such other laws as will make more efficient the work of the State Health Department, the treatment and prevention of diseases, and make more effective the health and sanitary conditions in the municipalities and counties of the State.

11. There is hereby submitted to you for the passage of such laws as

may to you seem wise, looking to the protection of the overflow lands and towns in the counties bordering on, and adjacent to the Gulf of Mexico, from the flood waters of our Texas streams, at or near the place where said streams empty into the Gulf of Mexico.

12. (Local). The creation, the establishment, and the incorporation of common, or independent school districts, and the issuance of bonds, and all local legislative matters pertaining thereto is hereby submitted to you in regard to each and all of the counties of the State. You are authorized to pass special road laws for Cherokee, Guadalupe, San Patricio, and Brazoria Counties; also to pass an amendment to the present law in regard to the terms of holding court in the Sixty-third Judicial District, in the Seventy-second Judicial District of the State; also the terms of holding District Court in Denton and in Cooke Counties; an act authorizing and empowering the city of Perryton, in Ochiltree County, to close certain streets in said town, and make proper financial adjustment with all interested parties thereto, together with the validation of city ordinances heretofore passed concerning same; a law regulating the catching and sale of fish in Taylor County, Texas; providing that counties with a population of 10,000, or less, may contract for the construction of toll bridges, giving the commissioners' court authority to levy the amount of said tolls and to limit the number of years to be paid; an Act extending for a period of two years oil and gas permit No. 2609, providing for the development of oil and gas in San Jacinto Bay, Harris County, Texas.

15. Amending H. B. No. 13, regarding the employment agency law, passed by the Regular Session of the Thirty-eighth Legislature in regard to employment agency bureaus.

16. An Act authorizing the Railroad Commission of Texas to grant reparation to shippers of goods, wares, and merchandise, between points wholly within the State of Texas when the Commission shall find that an unjust and unreasonable rate has been charged by a common carrier.

17. The mode or manner of executing the orders of the courts of our State in regard to death sentences, is

hereby presented for your consideration.

In submitting the above subjects, it is not intended to convey the thought that I am under any implied obligation to approve any bill that may be passed by virtue of the above subjects having been presented to you for legislative consideration.

Respectfully submitted,
PAT M. NEFF,
Governor.

S. B. No. 58—Re-referred.

Senator Clark moved that S. B. No. 58, which was referred to the Committee on State Affairs, be re-referred to the Committee on Public Health.

Senator McMillin moved to table the motion to re-refer the bill.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—9.

Bailey.	Rogers.
Baugh.	Strong.
McMillin.	Thomas.
Murphy.	Wood.
Rice.	

Nays—14.

Bowers.	Fairchild.
Burkett.	Holbrook.
Clark.	Parr.
Cousins.	Pollard.
Darwin.	Ridgeway.
Davis.	Turner.
Doyle.	Wirtz.

Present—Not Voting.

Lewis.

Absent.

Bledsoe.	Watts.
Floyd.	Woods.

Absent—Excused.

Stuart.	Witt.
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The motion to re-refer the bill then prevailed.

Recess.

On motion of Senator Clark, the Senate at 12:05 p. m. recessed until 2:30 p. m. today.

Afternoon Session.

The Senate met at 2:30 p. m. and was called to order by Lieutenant Governor T. W. Davidson.

S. J. R. No. 2.

By Senator Murphy:

Whereas, According to press reports the Penitentiary Commission of Texas is about to execute a contract with a mining company to lease to said company sufficient convict labor to operate its iron mines in East Texas, and a contract with a shirt manufacturing concern of Chicago to furnish to the latter concern the labor of several hundred convicts at Huntsville, to manufacture shirts at the pitiful sum of seventy-five cents per dozen, or six and one-fourth cents per shirt, payable to the State for the labor of able-bodied men; and

Whereas, The convict lease system, whether in the form of a lease of the entire prison plant and prison labor as existed in this State in the seventies and eighties, or in the form of hiring out the convicts to private employers as existed in this State up to 1910, when the system was abolished by legislative enactment, has at all times and everywhere been the source of untold abuse, brutality and exploitation for private gain of these wards of the State; and

Whereas, The proposed contracts are only another method of accomplishing the same purposes as the older forms of the lease system, from which the people of Texas thought they were forever freed; now, therefore, be it

Resolved. That we, the Senate of Texas and House of Representatives in Second Called Session of the Thirty-eighth Legislature assembled, enter our most solemn protest against the signing of these contracts.

In addition to the general reasons given above, we call attention to the following vital and fundamental objections to the proposed system:

First. The prison contractor makes money out of his contract, or he would not operate. This money is by right the property of the State and prisoner.

Second. Prison officials are subjected to pressure from the contractor's agents to speed up the men.

A system of dual authority grows up in the prison and leads to brutality, corruption and exploitation.

Third. Unfair competition results with the products of factories employing free labor, and paying living wages to their workers. These prison-made shirts are to be sold in the open market, and on account of the ridiculously low wages paid to the State for the labor of the prisoner, forces still further down the pittance now received by women and children in the sweat shops of this county.

Fourth. Shirt-making is especially to be condemned because it is a woman's trade—outside the prison, few male prisoners can secure employment after their release. This industry provides no industrial training for the prisoner to assist him in making an honest living after his discharge from prison.

Fifth. The interest of the contractor and the State are directly opposite. The sole interest of the prison contractor is to make money. The primary interest of the State should be the protection of society and the training of the prisoners to take their place in society.

Senator Burkett offered the following amendment to the resolution:

Amend the resolution by adding the following:

"Resolved Further, That the President of the Senate appoint three members of the Senate and the Speaker of the House to appoint five members of the House to act as a committee to investigate the terms of the contract and institute legal proceedings to enjoin the execution or delivery."

Senator Wood moved to refer the resolution and the amendment to the Committee on State Penitentiaries.

Yeas and nays were demanded, and the motion to refer prevailed by the following vote:

Yeas—16.

Bailey.	Lewis.
Baugh.	Pollard.
Bowers.	Rice.
Clark.	Ridgeway.
Davis.	Thomas.
Doyle.	Turner.
Fairchild.	Watts.
Holbrook.	Wood.

Nays—11.

Bledsoe.	Parr.
Burkett.	Rogers.
Cousins.	Strong.
Darwin.	Wirtz.
McMillin.	Woods.
Murphy.	

Present—Not Voting.

Floyd.

Absent—Excused.

Stuart.

Witt.

S. B. No. 32 on Engrossment.

(Special Order.)

The Senate resumed consideration of S. B. No. 32, making appropriations for the support of the various departments of the State Government, on its passage to engrossment, with amendment by Senator Ridgeway, pending.

On motion of Senator Clark, the amendment was tabled.

Senator Doyle offered the following amendment to this department:

Amend S. B. No. 32, page 28, line 18, by striking out the figures "25,000.00" and insert in lieu thereof the figures "20,000.00" for each year.

Senator Woods offered the following substitute for the amendment:

Amend S. B. No. 32, as follows: Strike out the word "three," where it occurs twice in line 4, page 25, and insert in both places the word "two" in lieu thereof.

And strike out the figures "\$9,900.00" where they occur twice on line 5, page 25, of the bill, and insert in lieu thereof the figures "\$6,600.00" in each place.

Strike out of line 18, page 28, the figures "\$25,000.00—\$25,000.00" and insert in lieu thereof in each place the figures "\$20,000.00."

The substitute was adopted, and the amendment as substituted was then adopted.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 24, by adding between lines 26 and 27 the following: "Cartoonist, 2,400.00—2,400.00."

Senator Strong moved to table the amendment, and the motion to table was lost.

Question recurring on the amendment, yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—18.

Baugh.	McMillin.
Bledsoe.	Murphy.
Bowers.	Parr.
Clark.	Rice.
Davis.	Ridgeway.
Fairchild.	Rogers.
Floyd.	Turner.
Holbrook.	Watts.
Lewis.	Wood.

Nays—8.

Burkett.	Strong.
Darwin.	Thomas.
Doyle.	Wirtz.
Pollard.	Woods.

Absent.

Bailey.	Cousins.
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Absent—Excused.

Stuart.	Witt.
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Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 28, lines 16 and 17, by striking out the figures "6,000.00" in both columns and in both lines and insert in lieu thereof the following: "\$4,800.00," in both columns and in both lines.

The amendment was adopted.

Senator Clark offered the following amendment to this department:

Amend S. B. No. 32, page 28, line 9, by adding after the word "Division" the words "that no salaries more than one thousand dollars shall be paid out of the \$4,000.00" in each line.

The amendment was adopted.

This department was then passed.

The State Reclamation Department was read.

Senator Wirtz offered the following amendment to this department:

Amend S. B. No. 32, pages 29 and 30, by striking out all of lines 25, page 29, to line 23, page 30, inclusive.

Senator Wood offered the following substitute for the amendment:

Amend the bill by striking out lines 6, 7, 8, 9, 10, 11 and 12, on page 30 under the State Reclamation Department and insert in lieu thereof the following:

"Provided that all salaries herein appropriated shall be paid out of the appropriation made for the State Reclamation Engineer at the Regular Session of the Thirty-eighth Legislature in House Bill No. 17; provided further, that this provision shall have no application to the item of \$30,000.00 for the year ending August 31, 1924, next following this provision."

Yeas and nays were demanded, and the substitute was adopted by the following vote:

Yeas—21.

Baugh.	Murphy.
Bledsoe.	Parr.
Burkett.	Pollard.
Clark.	Rice.
Cousins.	Ridgeway.
Darwin.	Rogers.
Davis.	Turner.
Doyle.	Watts.
Floyd.	Wood.
Holbrook.	Woods.
McMillin.	

Nays—5.

Bowers.	Thomas.
Fairchild.	Wirtz.
Strong.	

Absent.

Bailey.	Lewis.
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Absent—Excused.

Stuart.	Witt.
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The amendment as substituted was then adopted.

This department was then passed.

The Department of Agriculture was read.

Senator Baugh offered the following amendment to this department:

Amend S. B. No. 32, page 31, by striking out all of lines 19, 20, 21 and 22.

Senator Fairchild moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—17.

Burkett.	Pollard.
Cousins.	Rice.
Darwin.	Ridgeway.
Davis.	Rogers.
Fairchild.	Strong.
Floyd.	Turner.
McMillin.	Wood.
Murphy.	Woods.
Parr.	

Nays—7.

Baugh. Doyle.
Bledsoe. Thomas.
Bowers. Wirtz.
Clark.

Present—Not Voting.

Bailey. Lewis.
Holbrook. Watts.

Absent—Excused.

Stuart. Witt.

Senator Ridgeway offered the following amendment to this department:

Amend S. B. No. 32, page 31, line 16, by striking out the figures "\$3,000.00" from each column and insert in lieu thereof the figures "\$3,600.00" in each column.

The amendment was adopted.

Senator Ridgeway offered the following amendment to this department:

Amend S. B. No. 32, page 31, by inserting between lines 16 and 17, a new item as follows:

"16a. One Assistant, \$1,500.00," in each column.

The amendment was adopted.

Senator Doyle offered the following amendment to this department:

Amend S. B. No. 32, page 32, line 6, by striking out the word "six" and the figures "\$7,200.00" and insert in lieu thereof the word "four" and the figures "\$4,800.00" for each year.

Senator Wood moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—21.

Bailey. Parr.
Bowers. Pollard.
Burkett. Rice.
Cousins. Ridgeway.
Darwin. Rogers.
Davis. Strong.
Fairchild. Turner.
Floyd. Watts.
Holbrook. Wood.
McMillin. Woods.
Murphy.

Nays—4.

Baugh. Doyle.
Clark. Thomas.

Present—Not Voting.

Bledsoe. Absent.

Lewis. Wirtz.

Absent—Excused.

Stuart. Witt.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 31, line 21, by striking out the word "three" and inserting in lieu thereof the word "two" and by striking out the figures "4,000.00" and inserting in lieu thereof the figures "3,000.00" for each year.

The amendment was adopted.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 32, by inserting between lines 4 and 5 the following: "Field Statistician, \$1,500.00 for each year."

The amendment was adopted.

Senator Parr offered the following amendment to this department:

Amend S. B. No. 32, page 32, line 20, by striking out the figures "\$15,000.00" and by inserting in lieu thereof the figures "\$25,000.00."

Senator Wood offered the following substitute for the amendment:

Amend S. B. No. 32, line 20, page 32, by striking out the figures "15,000.00" and inserting in lieu thereof the figures "12,500.00" for each year.

The substitute was adopted, and the amendment, as substituted, was then adopted.

Senator Wood offered the following amendment to this department:

Amend S. B. No. 32, page 33, line 4, by striking out the figures "20,000.00" and inserting in lieu thereof the figures "22,500.00" for each year.

The amendment was lost.

(Senator Bowers in the Chair.)

Senator Holbrook moved to reconsider the vote by which the following amendment to the Public Health Department, offered by Senator Wood, was lost today:

Amend S. B. No. 32, page 27, by striking out lines 12 to 20, inclusive, and insert in lieu thereof the following:

	For the years ending	
	August 31 1924	August 31 1925
For maintenance of five established county health departments in co-operation with the counties, for 1924 \$2,000.00 each and for 1925 \$1,000.00 each..\$	10,000.00	\$ 5,000.00
For maintenance of five new county health departments, \$2,000.00 each for 1924 and \$2,000.00 each for 1925.. . . .	10,000.00	10,000.00
Total	\$ 20,000.00	\$ 15,000.00

Yeas and nays were demanded, and the motion to reconsider was lost by the following vote:

Yeas—10.

Bowers.	Parr.
Clark.	Rogers.
Davis.	Turner.
Holbrook.	Wirtz.
Murphy.	Wood.

Nays—16.

Baugh.	McMillin.
Bledsoe.	Pollard.
Burkett.	Rice.
Cousins.	Ridgeway.
Darwin.	Strong.
Doyle.	Thomas.
Fairchild.	Watts.
Lewis.	Woods.

Present—Not Voting.

Bailey.	Floyd.
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Absent—Excused.

Stuart.	Witt.
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Message from the House.

Hall of the House of Representatives,
Austin, Texas, May 2, 1923.
Hon. T. W. Davidson, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 34, A bill to be entitled "An Act making it a felony for any person to carry on or about his person while violating the liquor laws any weapon or arm mentioned in Article 475 of the Penal Code; prescribing the penalty, and declaring an emergency."

Has refused to engross

H. B. No. 14, A bill to be entitled "An Act providing for the collection of delinquent occupation, franchise, inheritance and insolvent taxes and other money due the State, and pro-

viding a means for collecting such taxes, repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 49, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Thirty-sixth Legislature, Second Called Session, limiting the amount of funds to be set apart for free text books, and declaring an emergency," with amendment by striking out the enacting clause.

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

Bills Signed.

The Chair (Lieutenant Governor T. W. Davidson) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 6.

Bills Read and Referred.

The Chair (Lieutenant Governor T. W. Davidson) had referred, after its caption had been read, the following House bill:

H. B. No. 34, to the Committee on Criminal Jurisprudence.

Recess.

Senator Bailey announced that Hon. Lee J. Rountree, Representative from Brazos County, had just dropped dead at his desk in the Hall of the House of Representatives, and he therefore moved that the Senate recess until 9:30 a. m. tomorrow.

Accordingly, at 4:55 p. m., the Senate recessed until 9:30 o'clock a. m. tomorrow.

APPENDIX.

By Senator Rogers:

Oklahoma City, Okla.,
May 1, 1923.

Senator Woodville Rogers,
Austin, Texas.

Your telegram inviting me to address joint session Texas Legislature reached me Oklahoma City. Profoundly regret every day until July 4th is now scheduled for address somewhere in country precludes my returning to Austin now. Express my sincere appreciation to members of Legislature for the honor of the invitation. Every good wish for successful session proving to best interest of Texas.

ALVIN A. OWSLEY.

Committee Reports.

Senate Chamber,
Austin, Texas, May 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 8 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Senate Chamber,
Austin, Texas, April 23, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 4, and find the same correctly enrolled and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Chairman.

Senate Chamber,
Austin, Texas, April 23, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 5, and find the same correctly enrolled and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Chairman.

Senate Chamber,
Austin, Texas, May 1, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have carefully compared Senate Concurrent Resolution No. 10, and find the same correctly enrolled and have this day, at 1:30 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Chairman.

Senate Chamber,
Austin, Texas, May 1, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have carefully compared Senate Concurrent Resolution No. 12, and find the same correctly enrolled and have this day, at 1:30 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Chairman.

Committee Room,
Austin, Texas, May 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 57, A bill to be entitled "An Act to extend for a period of five years from the passage of this Act Oil and Gas Permit No. 2609, issued June 11, 1918, in San Jacinto Bay, Harris County, Texas, said extension to be upon the same terms and conditions on which the original permit was issued, except that the owners who may desire to take advantage of this Act shall pay into the General Land Office within thirty days after the taking effect of this Act twenty-five cents per acre within the permit, and fifty cents per acre within one year thereafter, and annually thereafter the sum of one dollar per acre so long as they may desire to hold same, or until oil or gas shall have been developed in paying quantities and a lease obtained therefor; providing for forfeiture; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal.

BLEDSON, Chairman.

Committee Room,
Austin, Texas, May 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Min-

ing, Irrigation and Drainage, to whom was referred

S. B. No. 54, A bill to be entitled "An Act releasing the inhabitants of, and property in, Wharton County, comprising one district, and that portion of Matagorda County embraced in commissioners precincts Nos. one, two and four as described in the minutes of the commissioners court of said county, comprising another district for a period of twenty-five years, from the payment of taxes levied for State purposes, because of great public calamities in said counties, as provided in Section 10 of Article 8 of the State Constitution and providing that each district above defined respectively, shall be organized into a conservation and reclamation district and shall vote bonds of such district to prevent the recurrence of such calamities, and in case of the failure of either of said districts to organize and to vote such bonds by or before October 1, 1924, said Act shall become null and void, and said taxes shall be collected in the usual manner and paid into the public treasury, and providing an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal.

BLEDSON, Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 55, A bill to be entitled "An Act to amend Section 5, Chapter 87, of the Acts of the Thirty-fifth Legislature of the State of Texas by providing for ordering of election by the commissioners court for the organization of water improvement districts; providing the questions to be submitted at such election. And to amend Section 7, Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, as amended by Chapter 28, Second Called Session of the Thirty-sixth Legislature of the State of Texas; providing for the manner of conducting elections provided for in said Chapter 87; providing for qualifi-

cations for voters at such elections; prescribing the duties of the commissioners court in canvassing the returns of such vote; the creation of water improvement districts; providing for the division of the proposed district into one or more election precincts; and providing polling places in such voting precincts; the appointment of judges and clerks to hold such election; providing a method of filling places on said election board; providing for printing of ballots and the matter to be contained thereon. And amending Section 9 of Chapter 87 of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, as amended by Chapter 28, Second Called Session of the Thirty-sixth Legislature of the State of Texas, by providing for returns to be made by the officers of such election; the canvass and return showing the results of such election; the establishment of districts and making records thereof; the issuance of notes of said district for the purpose of defraying expenses of the organization, investigation, engineering, issuance of bonds, making and filing of maps and reports, all legal expenses connected therewith and all other costs and expense authorized and made necessary by the provisions of the law; to sell said notes and for the levy and collection of taxes to provide for their payments; and to canvass votes for the directors; and declaring of result. And to amend Section 57, Chapter 87, of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas as amended by Chapter 28 of the Acts of the Thirty-sixth Legislature, Second Called Session, providing for the issuance of bonds; and execution of contracts with United States Government; providing for the issuance of bonds sufficient to pay the first three years interest accruing on the bond issue authorized; and exempting the property situated in the district from taxes, for that period except in an amount sufficient to pay the notes provided for in Section 3 of this amendment; providing for the limitation of the amount of bonds to be issued by the district organized under Article 52, Section 3, of the Constitution; and exempting districts under Section 59, Article 16, of the Constitution from such limitation; provid-

ing for the issuance of bonds for supplemental and additional improvements, or supplemental contracts with the United States; and to purchase of additional improvements where the same is found necessary by the directors; and the issuance of notices for elections to be held to authorize issuance of such additional bonds, or the making of supplemental contracts; providing for the issuance of bonds or notes to run not to exceed 20 years for the purpose of repairing damages to the improvements in the district where such damages have occurred; and providing for elections and notices of such election where such supplemental bond issues are made; limiting amount of notes to be issued; and providing for the payment of interest thereon to create a sinking fund with which to pay said notes at maturity; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal.

BLEDSON, Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 51, A bill to be entitled "An Act providing that all fees remitted by county superintendents to the State Department of Education for teachers examinations authorized in Section 7, Chapter 129, of the General Laws of the Regular Session of the Thirty-seventh Legislature, also all fees remitted to the State Department of Education by conductors of summer normal institutes, and also any other fees collected by the State Department of Education for any purpose whatsoever, shall be paid to the State Treasurer, and providing that such fees shall be appropriated and expended by the Legislature from time to time, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and, be-

ing the same as Senate Bill No. 16, that it be not printed.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 14, A bill to be entitled "An Act authorizing the board of directors to purchase additional lands adjacent to the Agricultural and Mechanical College of Texas, the title to said lands to be taken in the name of the board of directors and their successors, and said lands to be subject to the control of said board of directors; said lands comprising approximately three hundred and eighty-three (383) acres in several tracts whose ownership or description is herein indicated; providing for the purchase from the different owners and authorizing condemnation proceedings in case the price of the several tracts cannot be agreed upon between the respective owners and said board of directors; providing the manner of drawing vouchers and approving the title of said lands by State officials; making an appropriation for the purchase of said lands out of the general revenue, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOOD, Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 41, A bill to be entitled "An Act amending statutes relative to elections, general and primary, and the requirements of poll tax receipts; amending Article 2949 of the State of Texas of 1911, requiring poll tax receipts to show the name of the political party to which the person to whom it is issued belongs; amending Article 2950 of the Revised Civil Statutes of the State of Texas of 1911, requiring that every poll tax receipt form shall show the political party to which the person to whom such receipt is issued be-

longs; amending Article 2953 of the Revised Civil Statutes of the State of Texas of 1911, requiring that exemption certificates shall state the name of the political party to which the person procuring such certificate belongs; amending Article 2956 of the Revised Civil Statutes of the State of Texas of 1911, requiring duplicate copy of poll tax receipts and certificates of exemption to show the name of the political party of the person to whom such receipt or certificate of exemption is issued; amending Article 2961 of the Revised Civil Statutes of the State of Texas of 1911, requiring that lists of poll tax payers show the name of the political party to which each of such tax payers belongs; providing a new section to be numbered 2961a; providing that during the month of April in any year voters may change their party affiliations and a record be kept of such changes and requiring further that a list of voters changing party affiliations shall be furnished presiding judges of all party primary elections; amending Article 3317 of the Revised Civil Statutes of the State of Texas of 1911, by providing that the list of voters used in the primary elections shall show the name of the political parties to which such voters belong, respectively; and providing that persons who have declared themselves to belong to one political party shall not be allowed to vote in a primary election of any other party; amending Article 3118 of the Revised Civil Statutes of the State of Texas of 1911, by providing that the same precautions provided by law to secure the purity of ballot box of general elections shall in all respects apply to primary elections."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that the bill be printed in the Senate Journal and not otherwise.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 42, A bill to be entitled "An Act to make it unlawful for any

political party in this State to hold a primary election for the nomination of a candidate for the office of a judge of any district court, criminal district court, Court of Civil Appeals, Court of Criminal Appeals or Supreme Court of Texas, and prohibiting the placing of the name of any person nominated in whole or in part for either of said offices in a primary election of the official ballot at any general election; providing the manner and mode of certifying the names of the nominees of any political party; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that the bill be printed in the Senate Journal and not otherwise.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 45, A bill to be entitled "An Act regulating motor trucks and jitney lines operating for hire on public roads and authorizing street, suburban and interurban railway companies to operate motor trucks or jitney lines for transportation of passengers for hire in incorporated cities and towns subject to regulation by such cities or towns and within five miles thereof under regulation by commissioner's court of the county, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be printed in the Journal.

RIDGEWAY, Vice-Chairman.

Committee Room,

Austin, Texas, May 2, 1923.

Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 46, A bill to be entitled "An Act providing for the collection of delinquent taxes of levee improvement districts; providing a method of procedure therefor; and providing that same shall take effect and be in

force from and after January 1, 1924, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be printed in the Journal.

RIDGEWAY, Vice-Chairman.

Committee Room,
Austin, Texas, May 2, 1923.
Hon. T. W. Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 47, A bill to be entitled "An Act to amend Article 7012½y, Revised Civil Statutes of the State of Texas, fixing the compensation of county tax collectors, for the collection of license fees on motor vehicles, tractors and trailers; exempting said fees from fee bill; repealing all laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be printed in the Journal.

RIDGEWAY, Vice-Chairman.

TWELFTH DAY. (Continued)

Senate Chamber,
Austin, Texas,
Thursday, May 3, 1923.

The Senate met at 9:30 a. m. and was called to order by Lieutenant Governor T. W. Davidson.

The Chair announced that if there was no objection, the Senate would stand at ease until 11 a. m., and that in the meantime the Senate would march in a body to the Hall of the House of Representatives to attend the funeral ceremonies of Hon. Lee J. Rountree, representative in the Lower House from Brazos county, who dropped dead at his desk in the House late yesterday.

There was no objection, and the Senate accordingly marched in a body, accompanied by its officers and employees, to the Hall of the House of Representatives, and were shown to the seats prepared for them.

Speaker Seagler presiding, announced to the members of the Legislature the death of Hon. Lee J. Rountree, and eulogies to the memory of the deceased were paid by

Lieutenant Governor T. W. Davidson, Rev. E. R. Barcus, pastor of the First Methodist Church of Austin, and Representatives John E. Quaid and Lee Satterwhite. After the benediction pronounced by Rev. J. C. Mitchell, chaplain of the House, the remains were accompanied to the depot by the members, officers and employees of both Houses of the Legislature. A committee consisting of Senators Doyle, Lewis and Bowers, appointed by the Chair, joined by a committee of five members of the House appointed by Speaker Seagler, accompanied the remains of Mr. Rountree to Bryan, Texas, where the final obsequies were to be held.

The Senate was called to order by Lieutenant Governor T. W. Davidson at 11 a. m.

Bills on First Reading.

The following bills, introduced today, were each read first time and referred to appropriate committees as follows:

By Senator Thomas:

S. B. No. 63, A bill to be entitled "An Act providing for the execution of convicts, condemned to death, by electrocution; prescribing the procedure in such cases; providing the means for accomplishing the purposes of this Act and making an appropriation therefor; prescribing fees to be paid; repealing certain statutes with saving clauses, and all laws or parts of laws in conflict herewith, and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator Stuart:

S. B. No. 64, A bill to be entitled "An Act to provide for the protection to public roads and highways of Texas, by prohibiting persons, firms or corporations from making or causing to be made, any excavations on, under, or across any public highways in Texas, or making or causing to be made, any obstruction in or upon such highways, or the right of way thereof, without first securing written permission from the commissioners' court or the State Highway Engineer; the commissioners' court, of the county where such permission is sought, if on a county road, and the State Highway Engineer if a designated State highway; providing